

IN THE DISTRICT COURT OF THE UNITED STATES
DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

UNITED STATES OF AMERICA)	CRIMINAL NO: 5:04-885
)	
vs.)	
)	ORDER
JOE ROGER MOULTRIE)	
)	

This matter is before the court on the joint motion of the parties, pursuant to Rule 35(b) of the Federal Rules of Criminal Procedure, for a correction or reduction of sentence based upon changed circumstances relating to the defendant's cooperation or assistance to the government. The defendant was sentenced on August 2, 2005, to a term of incarceration of 262 months, a 10 year term of supervised release, and a special assessment of \$100.

The Court has reviewed the basis of the Government's motion, the record herein, and the applicable law. Once a Rule 35(b) motion has been filed by the Government, the Court may act within its discretion to either grant or deny the Government's request. Since the granting of relief is not mandatory, it is appropriate for this Court to consider, prior to ruling upon this request, the tripartite sentencing goals of punishment, deterrence, and rehabilitation. Having considered these goals, the circumstances of this case, as well as the reasons presented by the Government relating to the defendant's cooperation and assistance to the investigation, the Court hereby grants the Government's motion and reduces the defendant's sentence of incarceration to a period of one

hundred twenty (120) months. All other parts of the defendant's original sentence are to remain the same.

IT IS ORDERED.

/s/ Margaret B. Seymour
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina

March 18, 2010